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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,484	12/11/2003	Rudolf Petermann	600.1300	7698
23280	7590	12/02/2005		
DAVIDSON, DAVIDSON & KAPPEL, LLC 485 SEVENTH AVENUE, 14TH FLOOR NEW YORK, NY 10018			EXAMINER FERGUSON, MARISSA L	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/733,484	Applicant(s) PETERMANN, RUDOLF	
	Examiner Marissa L. Ferguson	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,3 and 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Loffler et al. (US Patent 6,748,860).

Regarding claim 1, Loffler et al. teaches a device graphically superimposing, on printing material printed by the printing material processing machine, data to be displayed (Column 4, Lines 52-58, Lines 65-67 and Figure 1).

Regarding claim 3, Loffler et al. teaches wherein the data is values for opening of ink zones in at least one inking unit of a printing press (Column 5, Line 33-40).

Regarding claim 7, Loffler et al. teaches an operating device for adjusting the opening of the ink zones, the operating device transmitting a signal corresponding to the opening of at least one ink zone to the display device (Abstract and Column 3, Lines 1-11).

Regarding claim 8, Loffler et al. teaches a display device for graphically displaying the printing material and for graphically superimposing the data to be displayed on the graphically display of the printing material (Column 3, Lines 50-56 and element 3).

Regarding claim 9, Loffler et al. teaches wherein the operating device has a touch screen for adjusting the data to be displayed (Column 3, Lines 50-56)

Regarding claim 10, Loffler et al. teaches wherein the display device has a touch screen for adjusting the data to be displayed (Abstract).

Regarding claim 11, Loffler et al. teaches wherein values for the opening of ink zones are displayable so as to be visually differentiable from the printing material (Column 6, Lines 11-48).

Regarding claim 12, Loffler et al. teaches a printing press having the device for displaying data as recited in claim 1 (Elements 108-115).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4-6 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loffler et al. (US Patent 6,748,860) in view of Isogawa et al. (JP 10,307,331).

Regarding claims 2, 4-6, 13 and 14, Loffler et al. teaches the claimed invention with the exception of a data/video projection device located above the printing material with an adjustable lens system that projects variable strip shaped light beams. Isogawa et al. teaches image projector system located above the printing material, which

superimposes and projects variable reflective light beams (Abstract, elements 8,9, Paragraphs 0023-0025 and Figures 1,3 and 5). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention taught by Loffler et al. to include a projection system as taught by Isogawa et al., since Isogawa et al. teaches that is advantageous to project a clear and concise image on a screen.

Regarding claim 15, Loffler et al. teaches a sheet support (9, 105) for supporting the printing material.

Response to Arguments

3. Applicant's arguments filed 9/14/05 have been fully considered but they are not persuasive. Specifically regarding applicant's comments, physically-existing is a function and is not part of the device. The device and/or machine is capable of performing the claimed function. Regarding the remarks on claim 8, the examiner is referring to the color screen/monitor (3) as the display device and the physical data can be printed out.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L. Ferguson whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone

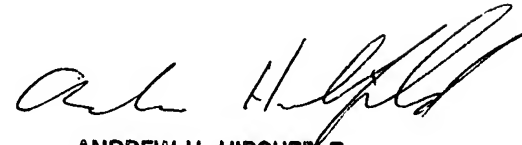
Art Unit: 2854

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marissa L Ferguson
Examiner
Art Unit 2854

MLF



ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
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